

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/254,005

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wherein the coated powders are mutually adhered at the outermost coating film [or by an adhesive], the base particle comprises a glass, a metal, or a metal oxide, and the coating films are each a metal film or a metal-oxide film.

7. (Amended) A process for producing a consolidated material of coated powders [which are mutually consolidated, comprising] as claimed in claim 1, which comprises adhering [either] coated powders each comprising a base particle having thereon a coating film having a uniform thickness of 0.01 to 20 μm [or powders each comprising a base particle having thereon plural coating films having a uniform thickness of 0.01 to 5 μm per film in which at least any adjacent coating films are different in kind,] at the coating film.

8. (Amended) A process for producing a consolidated material of coated powders [which are mutually consolidated, comprising] as claimed in claim 3, which comprises adhering [either powders each comprising a base particle having thereon a coating film having a uniform thickness of 0.01 to 20 μm or] coated powders each comprising a base particle having thereon plural coating films having a uniform thickness of 0.01 to 5 μm per film in which [at least any] adjacent coating films are different in kind at the coating film[,by an adhesive].

Please cancel claims 2 and 4.

REMARKS

Claims 1 and 3 have been amended to incorporated therein the recitation of claims 2 and 4, respectively. Claims 2 and 4 have been canceled.

Review and reconsideration on the merits are requested.

Claims 2-8 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite and containing grammatical and idiomatic errors. Particularly, the Examiner noted that the

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/254,005

language of claim 2 is awkward, and that claims 4-6 lack antecedent basis with respect to the "consolidated material" of claim 3. Furthermore, the Examiner considered the language of process claims 7 and 8 to be ambiguous.

In response, claim 3, as amended, is directed to a "consolidated material" so as to be consistent with claims 5 and 6. Claims 7 and 8 have been amended to recite a process for producing the material of claim 1 or the material of claim 3, respectively. The recitation of claims 2 and 4 has been incorporated into claims 1 and 3, respectively. Claims 2 and 4 have been canceled.

It is submitted that the claims as amended herein fully comply with 35 U.S.C. § 112, and withdrawal of the foregoing rejection is respectfully requested.

Claims 1, 2 and 8 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 4,859,364 to Yamamoto et al.

Claims 1 and 7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over JP 63-286537 (JP '537).

Claims 1-4 and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,716,552 to Paszkiet et al.

Claims 1, 2 and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,126,915 to Pepin et al.

Claims 1, 2, 5, 6 and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,965,194 to Truong et al.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/254,005

Each of the applied references was cited as disclosing coated particles adhered together to form a conductive paste (Yamamoto et al.), or a molding (JP '537), or a thick-film conductor (Paszkiet et al.), a capacitor (Pepin et al.), or a magnetic recording media (Truong et al.). In some of the applied references, the coated particles are dispersed in an organic medium, which the Examiner considered as meeting the limitation that the coated particles are mutually adhered by an adhesive (e.g., Yamamoto et al.). Only JP '537 was cited as teaching a sintered molding formed from the coated particles, and as meeting the limitation that the coated particles are mutually adhered at the coating film.

Applicants respectfully traverse for the following reasons.

The cited references other than JP '537 disclose coated particles bound together with an organic vehicle, which the Examiner considered as meeting the limitation that the coated powders are mutually adhered "by an adhesive". The claims have been amended to delete "by an adhesive" so as to patentably distinguish over Yamamoto et al, Paszkiet et al, Pepin et al and Truong et al.

Particularly, because the material of the present invention is produced without an adhesive, (i) the filling factor of the powder is so improved that the capacitor capacity per volume is increased, and (ii) a capacitor having a high capacity can be produced even if it has a small size. These affects cannot be expected from the cited references.

The rejection over JP '537 has been overcome by amending claims 1 and 3 to incorporate therein the recitation of claims 2 and 4, respectively.

Withdrawal of all rejections and allowance of claims 1, 3 and 5-8 is earnestly solicited.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/254,005

In the event that the Examiner believes that it may be helpful to advance prosecution of this application, the Examiner is invited to contact the undersigned at the local Washington, D.C. telephone number indicated below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,



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